

GOVERNMENT OF ANDHRA PRPADESH  
ABSTRACT

Public Services – A.P Ministerial Services – Industrial Tribunal –Cum – Labour Court Guntur – Sri V. Sri Venugopal Rao, Superintendent (Retd) Labour Court, Guntur – Treating the period of suspension from 27-6-1986 to 20-7-1990 as duty under F.R 54 (B) (3) and notional promotion in the category of Superintendent with effect from the date on which his immediate juniors were promoted and notional revision of pay in the category of Superintendent – Orders – Issued.

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LABOUR EMPLOYMENT TRAINING AND FACTORIES (LAB.I) DEPARTMENT

G.O.Ms.No. 82

Dated: 02-09-2009

Read the following:-

1. G.O.MS.No.21, LET&F (Lab.IV) Dept., dated. 5-3-2003.
2. Order in O.A No.7809 of 2001, dated. 11-8-2005.
3. High Court of AP order in W.P. No. 25269 of 2005, dated. 24-9-2008
4. Representation of Sri S Sri Venugopala Rao, Suptd (Retd) dated. 11-11-2008.
5. Govt Memo. No. 5782/Lab-IV/A2/2008-17, dated. 6-11-2008.
6. From the Chairman – Cum – Presiding Officer, Industrial Tribunal – cum – Labour Court, Guntur, letter No. 1084, dated. -12-2008.

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ORDER

On certain allegations, an enquiry was conducted against Sri V. Sri Venugopala Rao, Senior Assistant and others, O/o Chairman-cum-Presiding Officer, Industrial Tribunal –cum- Labour Court, Guntur by the Deputy Commissioner of Labour, Ranga Reddy District and the enquiry officer has submitted the report to the Government.

2. In the reference 1<sup>st</sup> read above, Government have dropped further action against Sri V. Sri Venugopal Rao, Superintendent (Retd) and others and directed the Chairman – cum – Presiding Officer, Industrial Tribunal – cum-Labour Court, Guntur to take further action in the matter.

3. On a O.A filed by Sri V. Sri Venugopal Rao, Superintendent (Retd) the APAT in the reference 2<sup>nd</sup> read above has directed that Sri V. Sri Venugopal Rao, Superintendent (Retired), O/o the Industrial Tribunal-cum-Labour Court, Hyderabad be promoted as Superintendent with effect from 1-7-1993 till the date of his retirement i.e on 31-3-2001 with all monetary benefits including basic pay increments, thereon etc.,

4. Aggrieved by the order of APAT, the Chairman –cum-Presiding Officer Industrial Tribunal cum Labour Court, Guntur filed W.P in High Court of A.P. The High Court of A.P in its order 3<sup>rd</sup> read above, while upholding the order of APAT passed in O.A No. 7809 of 2001, dated. 11-8-2005 observed that petitioner is entitled to regular promotion as Superintendent with effect from 1-7-1993 till the date of his retirement on 31-3-2001 with all consequential benefits.

5. Sri V. Sri Venugopal Rao, Superintendent, (Retd) O/o Industrial Tribunal-cum- Labour Court, Guntur in his representation 5<sup>th</sup> read above, has stated that the Hon'ble High Court of A.P in its order has wrongly mentioned the date of retirement as 31-3-2001 instead of 31-10-2001 and requested Government to implement the orders of High Court of A.P and also requested for payment of

full salary for the suspension period from 27-6-1986 to 20-7-1990 after deducting the subsistence allowance paid to him.

6. The Chairman -cum Presiding – Officer, Industrial Tribunal- cum - Labour Court, Guntur in his letter 6th read above has stated that the Government have dropped charges instituted against Sri V. Sri Venugopal Rao by withdrawing the prosecution on criminal charges pending before the 5<sup>th</sup> Munsif Court, Guntur. Sri V .Sri Venugopal Rao was also kept additional charge of the post of Superintendent with effect from 1-7-1993, consequent on his reinstatement in to service by revoking his suspension. Therefore, the individual is entitled for regular promotion as Superintendent with effect from 1-7-1993 till his date of retirement on 31-10-2001. As regards payment of full salary for the suspension period from 27-6-1986 to 20-7-1990, the Chairman - cum - Presiding Officer Industrial cum Labour Court, Guntur has stated that the suspension is wholly unjustified and he is entitled for pay and allowances under F.R 54 (B) (3).

7. Government after careful examination of the matter hereby decide and order that the period of suspension of Sri V. Sri Venugopal Rao, Senior Assistant, Industrial Tribunal- cum - Labour Court, Guntur from 27-6-1986 to 20-7-1990 may be treated as on duty under F.R 54 (B) (3) by deducting subsistence allowance already paid to the individual and notional promotion be given in the category of Superintendent with effect from the date on which his immediate Juniors were promoted, provided he is eligible to the said post as per Rules.

8. The Chairman – cum - Presiding Officer Industrial Tribunal- cum- Labour Court, Guntur shall take necessary action regarding notional revision of pay of Sri V. Sri Venugopal Rao as per F.R 26 (aa).

9. This order issues with the concurrence of Finance Department vide their U.O No.23111/559/FR-II/09, dated:27-8-2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

BHANWAR LAL  
PRINCIPAL SECRETARY TO GOVERNMENT

To  
The individual through (the Chairman cum presiding officer IT cum  
Labour Court, Guntur)  
The Chairman cum presiding officer IT cum Labour Court, Guntur,  
AGAP, Hyd.  
DTO, Guntur  
Copy to:  
Finance (Expr-LET&F Dept)  
SF/SC

//FORWARDED;; BY ORDER//

SECTION OFFICER